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12.7 RECORDS MAINTENANCE

All employment records gathered as part of the potential candidate's background investigation will be filed with the Staff Services Division. If the candidate is hired, the records will become a permanent part of candidate's personnel file. Personnel records of sworn employees will be maintained for a minimum of six years beyond the duration of their employment.

12.8 PROBATION

All police recruits serve a 64-week probationary period before receiving permanent civil service status. Police recruits will receive two interim evaluations and one final evaluation before receiving permanent civil service status.

12.9 OATH OF OFFICE

Upon being hired as a police officer the candidate will be sworn into office by the City Clerk.

13. PERFORMANCE EVALUATIONS

13.1 PERFORMANCE EVALUATION SYSTEM

A performance evaluation of every sworn employee will be conducted on an annual basis. The employee's immediate supervisor will do the performance evaluation. The employee is rated on the basis of his qualitative and quantitative performance. A list of rating factors is attached to the evaluation form and should be used as a guide in assessing the employee's performance.

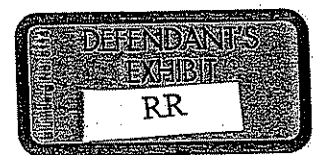
The performance evaluation is limited to the rating period and the overall objective of the evaluation is to improve job performance.

The following rating factors should be considered when rating non-supervisory sworn employees:

- Attitude
- Initiative
- Job Knowledge
- Judgement
- Written Reports
- Dependability
- Sensitivity
- Demeanor
- Appearance
- Oral Communication
- Adaptability
- Problem Solving

The following rating factors should be considered when rating supervisory sworn employees:

- Attitude
- Initiative
- Job Knowledge
- Judgement
- Written Reports
- Dependability



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- Sensitivity
- Demeanor
- Appearance
- Oral Communication
- Adaptability
- Leadership & Motivation Skills
- Decision Making
- Problem Solving
- Developing Subordinates
- Ability to Rate and Evaluate Subordinates

Each of the noted characteristics is defined on the Evaluation Form.

The rater will include within each performance evaluation a narrative comment that substantiates the rating given to the subject employee. The narrative will also include all recommendations that pertain to improving the employee's job performance.

At the time of the rating interview, the supervisor conducting the interview will review the evaluation with the employee and explain how the rating factors included in the evaluation relate to the employee's actual job performance. Before the review is ended, the rater will advise the employee about what is expected of him in the next rating period.

When a rater completes a performance evaluation of an employee, the rater will forward the evaluation to his immediate supervisor for review. After reviewing the evaluation, the rater's supervisor will sign off on it and forward it to the division commander for his review.

Each employee will be rated by his immediate supervisor. If the employee has more than one immediate supervisor, the supervisor designated to perform the evaluation will confer with the other supervisors before completing the evaluation.

Each employee will review the performance evaluation and have an interview with the rating supervisor. After the subject employee has reviewed the evaluation, the employee will sign the evaluation and indicate that he has reviewed it. The fact that an employee has signed the performance evaluation does not indicate that the employee agrees or disagrees with the rater's appraisal of the employee's performance. The sole purpose for the employee signature is to indicate that the employee has reviewed the evaluation and discussed it with the rater.

The performance evaluation will be forwarded to the rater's immediate supervisor and then to the division commander for review. The rater will discuss the evaluation with his superiors and provide supporting information in cases where an employee is given a below standard rating or a rating that classifies the employee as above standard.

In cases where an employee receives a below standard evaluation, the employee may forward a PD 37 to his division commander requesting an interview to discuss his performance evaluation. This request must be made no more than five days after the evaluation interview. An interview will be granted by the division commander; however, the employee will not be allowed to bring any witnesses or representatives to the interview. Any further action taken will be at the sole discretion of the division commander. Within two weeks after the interview the division commander will provide the employee with a written response to the employee's challenge of the evaluation.

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When the division commander finds no merit to the employee's complaint, the written response will indicate that the complaint is "without merit" and that the division commander "concurs with the rater's appraisal." When the division commander finds that the employee's complaint is valid, he will ensure that the evaluation is properly amended.

The request for the review and whatever determination the division commander makes will become part of the employee's permanent personnel record.

Each employee is entitled to a copy of his performance evaluation. One will be provided upon the written request of the employee.

13.2 RATER TRAINING

Supervisors will annually receive training in performance evaluations. Division commanders will base part of a supervisor's evaluation on his ability to properly rate subordinates.

14. DISCIPLINE

14.1 RULES RELATED TO CONDUCT, APPEARANCE AND PERFORMANCE

Every sworn member of the Department will be issued a copy of the Administrative Manual, Rules and Regulations, and Manual of Procedure. Every non-sworn member of the Department will be issued a copy of those portions of the Rules and Regulations and Manual of Procedure that apply to his specific position in the Department.

14.2 COURT APPEARANCES AND RELATED CONDUCT

Chapter 7 and rules 9.50 through 9.55 of the Rules and Regulations pertain to court appearances and related conduct.

14.3 LEGISLATIVE RESTRICTIONS FOR POLICE OFFICERS

Alcohol Beverage Control Law Proscriptions. Under Section 128 of the ABC Law, no police officer is permitted to have any interest in the sale or manufacture of alcoholic beverages.

Political Activity. Rule 2.21 of Chapter Two of the Rules and Regulations outlines all proscribed political activity for police officers. This is in accordance with Section 17-110 of the New York State Election Law.

Racing, Wagering and Breeding Law. Under Section 107 of the RWBL, no police officer may hold any office or employment with any firm that is licensed to conduct its business at a racetrack or that owns, leases or manages a racetrack.

Conflicts of Interest under the Public Officers Law. According to Article 4 of the POL, no police officer will: Accept a gift of more than \$75 (Refer to rules 2.33, 2.34, 2.35, and 2.36 of the Rules and Regulations for additional limitations). Disclose confidential information learned in the course of official duty to unauthorized persons. (Refer to rules 3.1, 3.2, 3.3, 3.4, and 3.5 of the Rules and Regulations for additional limitations.)

Off Duty Employment. Members of the Department shall not engage directly or indirectly in any other business or employment without the written approval of the Police Commissioner. (Rules and Regulations 2.43 and Manual of Procedure, Article 6.04). Furthermore, any employee wishing to engage in off duty employment will file a CO 8 with the Police Commissioner